

PLEASE NOTE:  
YOU MUST  
COMPLETE THE  
FOLLOWING

Attorney Docket No.  
0941-0844P

**BIRCH, STEWART, KOLASCH & BIRCH, LLP**  
P.O. Box 747 • Falls Church, Virginia 22040-0747  
Telephone: (703) 205-8000 • Facsimile: (703) 205-8050

**COMBINED DECLARATION AND POWER OF ATTORNEY  
FOR PATENT AND DESIGN APPLICATIONS**

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated next to my name; that I verily believe that I am the original, first and sole inventor (if only one inventor is named below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Insert Title:

METHOD FOR PREVENTING READ ERRORS IN OPTICAL DISC DRIVE

Fill in Appropriate  
Information -  
For Use Without  
Specification  
Attached:

the specification of which is attached hereto. If not attached hereto,  
the specification was filed on \_\_\_\_\_ as  
United States Application Number \_\_\_\_\_;  
and amended on \_\_\_\_\_ (if applicable) and/or  
the specification was filed on \_\_\_\_\_ as PCT  
International Application Number \_\_\_\_\_; and was  
amended under PCT Article 19 on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I do not know and do not believe the same was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representative or assigns more than twelve months (six months for designs) prior to this application, and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns, except as follows.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Insert Priority  
Information:  
(if appropriate)

**Prior Foreign Application(s)**

**Priority Claimed**

<u>91121854</u> (Number)	<u>Taiwan, R.O.C.</u> (Country)	<u>September 24, 2002</u> (Month/Day/Year Filed)	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<u>2147541.5</u> (Number)	<u>Mainland China</u> (Country)	<u>October 11, 2002</u> (Month/Day/Year Filed)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
_____ (Number)	_____ (Country)	_____ (Month/Day/Year Filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____ (Number)	_____ (Country)	_____ (Month/Day/Year Filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional applications(s) listed below.

Insert Provisional  
Application(s):  
(if any)

_____ (Application Number)	_____ (Filing Date)
_____ (Application Number)	_____ (Filing Date)

All Foreign Applications, if any, for any Patent or Inventor's Certificate Filed More than 12 Months (6 Months for Designs) Prior to the Filing Date of This Application:

Insert Requested  
Information:  
(if appropriate)

Country	Application Number	Date of Filing (Month/Day/Year)
_____	_____	_____
_____	_____	_____

I hereby claim the benefit under Title 35, United States Code, §120 of any United States and/or PCT application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States and/or PCT application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to the patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

Insert Prior U.S.  
Application(s):  
(if any)

_____ (Application Number)	_____ (Filing Date)	_____ (Status - patented, pending, abandoned)
_____ (Application Number)	_____ (Filing Date)	_____ (Status - patented, pending, abandoned)

I hereby appoint the following attorneys to prosecute this application and/or an international application based on this application and to transact all business in the Patent and Trademark Office connected therewith and in connection with the resulting patent based on instructions received from the entity who first sent the application papers to the attorneys identified below, unless the inventor(s) or assignee provides said attorneys with a written notice to the contrary:

Raymond C. Stewart	(Reg. No. 21,066)	Terrell C. Birch	(Reg. No. 19,382)
Joseph A. Kolasch	(Reg. No. 22,463)	James M. Slattery	(Reg. No. 28,380)
Bernard L. Sweeney	(Reg. No. 24,448)	Michael K. Mutter	(Reg. No. 29,680)
Charles Gorenstein	(Reg. No. 29,271)	Gerald M. Murphy, Jr.	(Reg. No. 28,977)
Leonard R. Svensson	(Reg. No. 30,330)	Terry L. Clark	(Reg. No. 32,644)
Andrew D. Meikle	(Reg. No. 32,868)	Marc S. Weiner	(Reg. No. 32,181)
Joe McKinney Muncy	(Reg. No. 32,334)	Donald J. Daley	(Reg. No. 34,313)
John W. Bailey	(Reg. No. 32,881)	John A. Castellano	(Reg. No. 35,094)
Gary D. Yacura	(Reg. No. 35,416)		

Send Correspondence to:

**BIRCH, STEWART, KOLASCH & BIRCH, LLP** or Customer No. 2292  
P.O. Box 747 • Falls Church, Virginia 22040-0747  
Telephone: (703) 205-8000 • Facsimile: (703) 205-8050

PLEASE NOTE:  
YOU MUST  
COMPLETE  
THE  
FOLLOWING:

Full Name of Sole  
Inventor:  
Insert Name of Inventor  
→  
Insert Date This  
Document Is Signed

Insert Residence  
Insert Citizenship  
→

Insert Post Office  
Address  
→

Full Name of Sole  
Inventor:  
Insert Name of Inventor  
→  
Insert Date This  
Document Is Signed

Insert Residence  
Insert Citizenship  
→

Insert Post Office  
Address  
→

Page 2 of 2  
(Rev. 01/05/2000)

GIVEN NAME/FAMILY NAME Steve Lee (Last name: Lee)		INVENTOR'S SIGNATURE Steve Lee	DATE* 2003/9/11
Residence (City, State & Country) Taipei, Taiwan, R.O.C.		CITIZENSHIP Taiwan, R.O.C.	
POST OFFICE ADDRESS (Complete Street Address including City, State & Country) 3 Fl., No. 3, Alley 1, Lane 147, Sec. 2, Jilung Rd., Shinyi Chiu, Taipei, Taiwan, R.O.C.			
GIVEN NAME/FAMILY NAME Donnie WU (Last name: WU)		INVENTOR'S SIGNATURE Nonsigning inventor-completed on added page	DATE*
Residence (City, State & Country) Taichung, Taiwan, R.O.C.		CITIZENSHIP Taiwan, R.O.C.	
POST OFFICE ADDRESS (Complete Street Address including City, State & Country) No. 5, Alley 7, Lane Jianchang, Shueinan Rd., Beitun Chiu, Taichung, Taiwan, R.O.C.			

\*DATE OF SIGNATURE

**ADDED PAGE TO COMBINED DECLARATION  
AND POWER OF ATTORNEY FOR SIGNATURE BY JOINT INVENTOR(S)  
ON BEHALF OF NONSIGNING INVENTOR(S) WHO REFUSE(S)  
TO SIGN OR CANNOT BE REACHED (37 CFR 1.47(a))**

**WARNING:** "37 CFR 1.47(a) and 35 U.S.C. 116, second paragraph, requires all available joint inventors to file an application 'on behalf of' themselves and on behalf of a joint inventor who 'cannot be found or reached after diligent effort' or who refuses to 'join in an application.'" M.P.E.P. 409.03(a), 6<sup>th</sup> ed., rev.3 (emphasis added). See also 62 Fed. Reg. 53, 131, 53, 137, 203 O.G. 68 (Oct. 10, 1997).

I am an above named joint inventor and have signed this declaration on my own behalf and also sign this declaration under 37 C.F.R. 1.47(a) on behalf of the nonsigning joint inventor(s), particulars for whom is/are:

Name: Donnie WU (Last name: WU)

Citizenship: Taiwan, R.O.C.

Last known address: No. 5, Alley 7, Lane Jianchang, Shueinan Rd., Beitun Chiu, Taichung, Taiwan, R.O.C.

Who ☒ refuse to sign  
☐ cannot be found or reached

*NOTE: Ordinarily, the last known address will be the last known residence of the nonsigning inventor(s). A post office box is insufficient. Other addresses at which the nonsigning inventor(s) may be reached should also be given. These can best be given in the Statement of Facts in Support Of Filing On Behalf Of Omitted inventor. M.P.E.P. 409.03(e), 6<sup>th</sup> ed.*

Accompanying this declaration is:

- (1) A STATEMENT OF FACTS IN SUPPORT OF FILING ON BEHALF OF NONSIGNING INVENTOR(S).
- (2) THE PETITION FEE OF \$130.00 (37 CFR 1.17(i)).

**SIGNATURE(S):**

Steve Lee  
Steve Lee

2003/9/12  
Date